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BY HAND DELIVERY

March 2, 2010

Stephen Gardner
Project Manager
Loudoun County Department of Planning
1 Harrison Street, SE, 3rd Floor
Leesburg, VA 20177



RE: ZMOD 2008-0010, Ashburn Village Shopping Center Comprehensive Sign Plan

Dear Stephen:

This letter includes our response to the staff review comments we have received regarding the third submission of the sign plan application. Enclosed please find 5 copies of the revised sign plan, which includes a revised Statement of Justification. Please schedule this application for hearing before the Planning Commission.

The staff review comments are addressed below. Each agency's comments are set forth (noted in *Italics*) and followed by our response.

Zoning Administration, Department of Building and Development: Response to Two Comments dated January 4, 2010.

1. *Exhibit 7B, Directional Signs, On-Site – Please provide a maximum number of Directional Signs proposed for the site. In addition, Section 5-1202 (D)(7)(h) of the Ordinance states that these signs shall be located only where there is a change in direction and shall contain no advertising. Please add this requirement to the sign matrix in the 1993 Loudoun County Zoning Ordinance column.*

Response: The maximum allowable number of directional signs (Type 7B) will be based upon the number of freestanding single-occupant buildings existing on the site at any particular time. The Comprehensive Sign Location Plan on page 19 illustrates eight such buildings; however, this number is subject to change over time, in the event the overall layout is revised. Each of these buildings would be allowed up to four Type 7B signs. The matrix has been revised to incorporate the requirements of Section 5-1202 (D)(7)(h), as requested.

2. *Section 5-1202 (E)(3) requires that a request for sign modifications shall include the submission of a Comprehensive Sign Package that clearly addresses how the proposed requirements satisfy the public purpose to an equivalent degree. This package as*

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submitted is not comprehensive in that it does not include all of the parcels within the PD-CC(CC) District.

Response: As noted in our previous response to this comment, the owner of that parcel has declined to participate in this application. Applicant believes that owner's absence is not required for implementation of the proposed comprehensive sign plan. In any event, the single building on the absent parcel constitutes less than two percent of the overall existing building square footage in the shopping center, so its absence from the comprehensive sign plan would have no visual impact on the overall signage in the center. The signage on the absent parcel will remain subject entirely to the provisions of the 1993 ordinance.

Community Planning, Department of Planning: Response to Seven Comments dated January 4, 2010.

1. *Eliminating the freestanding sign and reducing the number of directional signs for the individual pad sites would be more consistent with the Retail Plan policies.*

The application has been revised to clarify that a total of three building signs and one freestanding sign would be allowed for each pad site along with a total of four directional signs per site. Staff continues to recommend that one of the identification signs (building or freestanding) be eliminated. This issue has not been adequately resolved.

Response: The proposed plan for Types 3A, 4A and 5A has been further revised to allow each of these pad site types no more than three identification signs, only one of which can be a freestanding sign.

2. *The Giant grocery store proposes a total of eight signs, three for Giant and five for subtenants. Five subtenant signs is excessive.*

The application has been revised to clarify the number of sub-tenant signs, however the total number of signs for the Giant store has increased by one. Adding an additional sign does not reduce the visual clutter on the building façade. This issue has not been resolved.

Response: Following the meeting with staff on January 27, 2010, the proposed Plan has been further revised to reduce the allowable number of sub-tenant signs to two and the allowable number of all signs to six. The revised building elevation on page 28 illustrates the spacing of these six signs.

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3. *Staff questions the need for end cap units to have three buildings-mounted signs. The sign shown on the rear of the building could be eliminated.*

The applicant continues to request three building-mounted signs for end cap units. When looking at the sign package as a whole (which includes a total of two per tenant building-mounted signs, one per tenant canopy sign, two second floor building signs, one per second floor tenant sign, and nine signs for the Giant store) adding additional signage to the building is excessive. This issue has not been resolved.

Response: Applicant believes that it is not proposing to add additional endcap signage to the building. Typical endcap tenants are currently allowed up to three signs under the 1993 Ordinance. These tenants were allowed three signs under the 1972 Ordinance. Furthermore, this staff comment raises a very practical issue. Applicant has signed leases with numerous existing endcap tenants. Applicant would not have the authority under those leases to unilaterally agree with the County to reduce these tenants' sign rights.

4. *It is noted that some of the directional signs propose advertising which may not be allowed in the Zoning Ordinance even through modification. Staff defers to the Zoning Department on this issue. Further, the amount of directional signage proposed is unnecessary as a site visit by staff revealed that all buildings in the shopping center were adequately visible to both pedestrian and vehicular traffic.*

The application has been revised to eliminate some of the proposed directional signs, limiting them to four per freestanding tenant. Staff continues to note that all of the buildings are highly visible throughout the site and four directional signs per individual pad sites would be unnecessary. Staff continues to recommend that the number of signs be reduced. This issue has not been adequately resolved.

Response: The parking area associated with each freestanding single-occupant building abuts drive aisles and other parking areas in the center. These Type 7B signs are intended (and needed) to direct vehicles to the appropriate parking areas and drive aisles. They are not intended to enhance the visibility of buildings. Applicant believes that four is a reasonable maximum for the allowable number of Type 7B directional signs per pad site, and notes that the 1993 Ordinance does not place any restriction on the number of these signs.

5. *Clarification is needed as to the type of Real Estate signs being proposed. It appears that each in-line building would be allowed two monument style signs and each pad site allowed one monument style sign (fourteen signs). This is an excessive number of freestanding monument signs.*

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The applicant clarified that six Real Estate freestanding monument signs are proposed. However, adding this to the amount of proposed freestanding monument signs for the entrances, (five are currently proposed) a total of eleven monument signs could encumber the perimeter of this retail center at any given time. Staff continues to recommend that the number of monument signs be reduced to avoid visual clutter. This issue has not been adequately addressed.

Response: Applicant continues to believe that the appropriate and necessary number of real estate signs is six, to allow Applicant the opportunity to properly market its business. In fact, Applicant believes six signs might be the minimum number needed to effectively market the site, depending upon the market circumstances. Applicant has clarified its intended use of these signs, by adding a note to the proposed Plan stating that no more than three real estate signs could be erected along any public right-of-way frontage at any one time (please see pages 17 and 57).

6. *The application is proposing that each tenant will have two flush-mounted building signs and one under the canopy sign. The application does not provide adequate justification as to the need for each tenant to have three signs.*

The applicant continues to propose three signs per subtenant. When looking at the proposed building signage collectively (including first and second floor tenant signs, second floor building signs, end cap tenant signs, and under the canopy signs), the number and square footage of the signs per building is excessive. Staff recommends that only one flush-mounted tenant sign be permitted. This issue has not been adequately addressed.

Response: Applicant continues to believe that it is proposing a reasonable number of allowable signs for in-line tenants.

7. *An increase in signage for second floor tenants has also been requested. A general building identification sign is proposed along with a sign for each tenant on the second floor. Staff has concerns with the amount of signage proposed for the office portion of the building as it is unclear how many tenants could be located on the second floor. Signage should identify the building not each individual tenant.*

The application has been revised to limit the number of tenant signs to four, and the number of building signs to two, which is three times the amount of signage allowed in the Zoning Ordinance. Staff continues to recommend that the number of signs be reduced. This issue has not been resolved.

Response: To address this comment, Applicant has revised its proposed Plan to set a maximum total of six Type 2E and Type 2F signs on a building. Applicant believes that



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the proposed allowable numbers of Type 2E and Type 2F signs is reasonable, and would not create visual clutter.

In summary, we believe this response letter and the revised sign plan fully address staff's review comments, and we request that the sign plan be scheduled for the next available Planning Commission public hearing.

Please do not hesitate to contact me if you have any questions or if you require any additional information.

Very truly yours,

Cooley Godward Kronish LLP

A handwritten signature in black ink, appearing to read "Jeffrey A. Nein". The signature is written over the printed name and title.

Jeffrey A. Nein, AICP
Senior Land Use Planner

cc: Brian Downie, Vice President, Saul Centers, Inc.

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